

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Return Date 6/17/20
Time: 9:30 a.m.

In Re:

X Chapter 13
Arlette Guerrier,
Case No.: 20-40995-nhl

Debtor(s)

X

RESPONSE TO COURT'S ORDER TO SHOW CAUSE TO DISMISS THE ABOVE-REFERENCED BANKRUPTCY PROCEEDING

David Alishaev, the undersigned, of The Alishaev Law Group, attorney for Arlette Guerrier (the “Debtor”), the Debtor in the above-referenced bankruptcy proceeding, submits this response to the Court’s Order to Show Cause to dismiss the above-referenced bankruptcy proceeding and states as follows:

1. I am a partner of Alishaev Law Group, attorneys for the Debtor, and as such I am fully familiar with the facts surrounding this bankruptcy case and this motion. I submit this response to the Court’s Order to Show Cause to Dismiss the above-referenced bankruptcy case for failure to file all of the required schedules and statements pursuant to Section 521 of Title 11 of the United States Code (the “Bankruptcy Code”).

2. On February 19, 2020, the Debtor filed a voluntary petition with the Bankruptcy Court, Eastern District of New York pursuant to Chapter 13 of the Bankruptcy Code. The Debtor filed the instant petition “bare bones” because she was facing a foreclosure sale of home known as 823 E. 35 Street, Brooklyn, New York 11201 (the “Property”). The Debtor filed a Chapter 13 seeking relief with the intent of seeking to retain the Property and reorganize her debts through a Chapter 13 plan.

3. The Debtor filed a “skeleton” petition because it was an emergency filing. Unfortunately, we have not been able to gather all of the documents and information from the Debtor to complete the Debtor’s bankruptcy filing. Due to the COVID-19 pandemic and the abrupt

shutdown of businesses in New York, it has been extremely difficult to get in contact with the Debtor. The last time we spoke to the Debtor, she had expressed her desire to withdraw her bankruptcy petition.

4. In light of this development, this office has tried to get the Debtor to complete her petition but our attempts have been unsuccessful in having any communication with the Debtor.

Wherefore, in view of the foregoing, the Debtor has no objection to the Court's order to show cause seeking a dismissal of the above-referenced action and for such other, further and different relief as this Court deems just, proper and equitable.

Dated: Forest Hills, New York
June 9, 2020

The Alishaev Law Group
Attorney for the Debtor

By: _____ David Alishaev _____
David Alishaev
100-15 Queens Blvd., Suite 203
Forest Hills, New York 11201
718-489-2030